

AMENDED IN SENATE MARCH 29, 2005

SENATE BILL

No. 1009

Introduced by Senator Florez

(Principal coauthor: Assembly Member McCarthy)

February 22, 2005

An act to amend Section 41026 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1009, as amended, Florez. Water storage districts: election rolls.

Existing law, the California Water Storage District Law, requires the board of a water storage district to use the most recent county assessment rolls or to prepare an election roll to determine the ownership and value of parcels for the purpose of carrying out district elections.

This bill would revise the manner in which a district election roll is prepared. The bill would require the district, or other designated persons, for the purpose of preparing the election roll, to determine the value of each parcel on the basis of the benefits derived by each parcel as a result of being within the boundaries of the district, receiving services from the district, or both.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 41026 of the Water Code is amended to
- 2 read:
- 3 41026. (a) The board shall prepare a preliminary election
- 4 roll. The preliminary election roll shall be by division unless all

1 district elections are at large. The preliminary election roll shall
2 include each parcel of land listed on the most recent county
3 assessment roll, any federal and state land, and any other
4 unvalued lands within the district, and list for each parcel the
5 name of the holder of title to land, the area of the parcel, the
6 value of the parcel, exclusive of improvements, minerals, and
7 mineral rights therein, and the number of votes attributable to the
8 parcel.

9 (b) The board shall determine the value of each parcel under
10 paragraph (1) or (2).

11 (1) The board may determine the value of each parcel on the
12 basis of the benefits derived by each parcel as a result of being
13 within the boundaries of the district, receiving services from the
14 district, or both. The board shall consider *for each parcel*, among
15 other things, the nature of the use or allowed uses of the parcel,
16 whether the parcel is developed or undeveloped, and the nature
17 of the district's services provided or available to the parcel.

18 (2) The board may appoint commissioners under Section
19 46150, a civil engineer under Section 46156, or a qualified real
20 estate appraiser to determine the value of each parcel in
21 accordance with paragraph (1).

22 (c) The secretary shall publish a notice of preparation of the
23 preliminary election roll in accordance with Section 39057,
24 indicating the date, time, and place of the hearing to consider the
25 preliminary election roll.

26 (d) A copy of the preliminary election roll shall be available at
27 the district's offices or other convenient location during regular
28 business hours, and information concerning the availability of the
29 preliminary election roll shall be provided in the published
30 notice.